(Rev. 8/06) Bill of Costs

# UNITED STATES DISTRICT COURT

Southern

District of

New York

Dr. Morgan Reynolds on behalf of United St	ates
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V.

**BILL OF COSTS** 

Science Applications International Corp. Et al.

Case Number: 07CIV4612 (GBD)

Science Applications international Corp., Et al.					
Judgment having been entered in the above entitled action on	6/30/2008 Date	against	Plaintiff/R	elator	
the Clerk is requested to tax the following as costs:					
Fees of the Clerk				\$	0.00
Fees for service of summons and subpoena					0.00
Fees of the court reporter for all or any part of the transcript necessar	rily obtained for use	in the cas	e		0.00
Fees and disbursements for printing					0.00
Fees for witnesses (itemize on page two)					0.00
Fees for exemplification and copies of papers necessarily obtained for	or use in the case			1	160.20
Docket fees under 28 U.S.C. 1923				<u></u>	0.00
Costs as shown on Mandate of Court of Appeals					0.00
Compensation of court-appointed experts					0.00
Compensation of interpreters and costs of special interpretation servi					0.00
Other costs (please itemize)				5	565.67
Other costs (please itemize)	• • • • • • • • • • • • • • • • • • • •				725.87
			OTAL	5	
SPECIAL NOTE: Attach to your bill an itemization and documental	tion for requested co	osts in all o	ategories.		
DECLAR	ATION				***************************************
I declare under penalty of perjury that the foregoing costs are corre for which fees have been charged were actually and necessarily perfollowing manner:  Electronic service by e-mail as set forth below and/or.  Conventional service by first class mail, postage prepared.	formed. A copy of id as set forth below	this bill h			
Name of Attorney: Philip C. Semprevivo	526)			· 	_
For: Defendant, Underwriters Laboratories, Inc.			Date:	7/7/2008	·
Name of Claiming Party  Costs are taxed in the amount of \$725.87			and incl	uded in the jud	gment.
Clerk of Court By:	Clerk			Date	
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(Rev. 8/06) Bill of Costs

# UNITED STATES DISTRICT COURT

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)							
	ATTEN	IDANCE SUBSISTENCE MILEAGE		Total Cost			
NAME , CITY AND STATE OF RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Each Witness
							\$0.00
							\$0.00
							\$0.00
							\$0.00
			:				\$0.00
							\$0.00
				_	TO	OTAL	\$0.00

#### NOTICE

#### Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

#### See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

## The Federal Rules of Civil Procedure contain the following provisions:

Rule 54 (d)

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

### UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

DR. MORGAN REYNOLDS on behalf of the UNITED STATES OF AMERICA,	)	Case No. 07CV4612 (GBD)
Plaintiff,	) )	
v.	) )	AFFIRMATION OF PHILIP C. SEMPREVIVO
SCIENCE APPLICATIONS INTERNATIONAL	)	
CORP.; APPLIED RESEARCH ASSOCIATES, INC.; BOEING; NuSTATS; COMPUTER	)	
AIDED ENGINEERING ASSOCIATES,	)	
INC.; DATASOURCE, INC.; GEOSTAATS, INC.; GILSANZ MURRAY STEFICEK LLP;	)	
HUGHES ASSOCIATES, INC.; AJMAL	)	
ABBASI; EDUARDO KAUSEL; DAVID	)	
PARKS; DAVID SHARP; DANIELE VENEZANO; JOSEF VAN DYCK; KASPER	)	
WILLIAM; ROLF JENSEN & ASSOCIATES,	)	
INC.; ROSENWASSER/GROSSMAN CONSULTING ENGINEERS, P.C.; SIMPSON	)	
GUMPERTZ & HEGER, INC.; S.K. GHOSH	)	
ASSOCIATES, INC.; SKIDMORE, OWINGS &	)	
MERRILL, LLP; TENG & ASSOCIATES, INC.; UNDERWRITERS LABORATORIES, INC.;	)	
WISS, JANNEY, ELSTNER ASSOCIATES,	)	
INC.; AMERICAN AIRLINES; SILVERSTEIN PROPERTIES; and UNITED AIRLINES,	)	
,	)	
Defendants.	)	

I, Philip C. Semprevivo, an attorney duly admitted to practice law in the State of New York, including the U.S. District for the Southern District of New York, certifies the following under penalty of perjury:

1. I am a member of Biedermann, Reif, Hoenig & Ruff, P.C., attorneys for defendant Underwriters Laboratories, Inc. ("UL") in the within matter. As such, I am familiar with the facts and circumstances surrounding this action based upon a review of

the file maintained by this law office.

2. I submit this Affirmation and verification of the bill of costs in the above

captioned matter on behalf of defendant Underwriters Laboratories, Inc. ("UL"). As the

duly authorized attorney for defendant Underwriters Laboratories, Inc. ("UL"), in the

within matter, I have knowledge of the facts, that all items of costs and/or disbursements

are correct and have been necessarily incurred in the case and that the services for which

fees have been charged were actually and necessarily performed.

3. Attached as Exhibit "A" are true and exact copies of Bills for the costs

claimed in the Bill of Costs.

4. Any and all costs claimed in the Bill of Costs for copies were necessary

for use in the case. Copies were necessary for the generation of service upon parties. In

addition, the copying of electronically served documents was necessarily done for use in

this case.

5. The "Other costs" claimed in the Bill of Costs include the following

necessarily incurred costs: (1) computer research-West Law, computer research-Pacer

Service Center, Inc. (\$318.89); (3) phone charges-McGraw Communications, Inc., phone

charges- AT&T (\$178.41); (5) courier charges (\$20.25); (6) postage (\$1.40); & (7) court

service-Pacer Service Center, Inc. (\$46.72), for a total of \$565.67 incurred "other costs."

Dated: July 7, 2008

New York, New York

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Respectfully submitted,

BIEDERMANN) REIF, HOENIG & RUFF, P.C.

By:

C. Semprevivo (PS1526)

570 Lexington Avenue New York, New York 10022 (212) 697-6555 psemprevivo@bhmr.com

Attorneys for Defendant Underwriters Laboratories, Inc.